UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

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No. 04-6251

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ROBERT LANE WISE,

Petitioner - Appellant,

versus

THEODIS BECK,

Respondent - Appellee.

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Appeal from the United States District Court for the Middle
District of North Carolina, at Durham. William L. Osteen, District
Judge. (CA-03-91-1)

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Submitted: June 14, 2004   Decided: July 1, 2004

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Before WIDENER, LUTTIG, and DUNCAN, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Robert Lane Wise, Appellant Pro Se. Sandra Wallace-Smith,
Assistant Attorney General, Raleigh, North Carolina, for Appellee.

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PER CURIAM:

Robert Lane Wise, a state prisoner, seeks to appeal the district court's order denying relief on his motion filed under 28 U.S.C. § 2254 (2000). An appeal may not be taken from the final order in a § 2254 proceeding unless a circuit justice or judge issues a certificate of appealability. 28 U.S.C. § 2253(c)(1) (2000). A certificate of appealability will not issue for claims addressed by a district court absent "a substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(2) (2000). A prisoner satisfies this standard by demonstrating that reasonable jurists would find both that his constitutional claims are debatable or wrong and that any dispositive procedural rulings by the district court are also debatable or wrong. See Miller-El v. Cockrell, 537 U.S. 322, 337-81 (2003); Slack v. McDaniel, 529 U.S. 473, 484 (2000); Rose v. Lee, 252 F.3d 676, 683 (4th Cir. 2001). We have independently reviewed the record and conclude that Wise has not made the requisite showing. Accordingly, we deny the motion for leave to proceed in forma pauperis, deny a certificate of appealability, and dismiss the appeal. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED